

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

**DANA DAYE HAMBLIN,**

**Plaintiff,**

**vs.**

**Cause No.: 17-CV-00660 PJK/KBM**

**SANTA FE COUNTY,  
SANTA FE COUNTY ADULT DETENTION CENTER,  
DEREK WILLIAMS, CORIZON HEALTH, INC.,  
CORIZON, LLC and John and Jane Does Nos. 1-10,**

**Defendants.**

**MOTION TO STRIKE PLAINTIFF'S FIRST AMENDED COMPLAINT**

**COMES NOW** Defendant Santa Fe County, by and through its counsel of record, Brennan & Sullivan, P.A. (James P. Sullivan and Sabrina Rodriguez Salvato) and Conklin, Wood & Ziegler, P.C. (Christa M. Hazlett), and moves to strike Plaintiff's First Amended Complaint for Violation of Constitutional Rights, Medical Malpractice, Negligence, and Punitive Damages. [Doc. 37] In further support of this Motion, Defendant Santa Fe County states as follows:

1. This Court entered its Order Setting Case Management Deadlines and Discovery Parameters on January 4, 2018. [Doc. 32] In its Order, the Court set the deadline for Plaintiff *to move to amend* pleadings and/or add additional parties as February 5, 2018.
2. On February 5, 2018 Plaintiff filed her First Amended Complaint. [Doc. 37]

3. Prior to filing, Plaintiff did not ask the Court for leave to amend nor did she obtain Defendant's consent as required as required under Federal Rule of Civil Procedure 15(a)(2).
4. Because Plaintiff has failed to comply with this Court's Order and the Rules of Civil Procedure, her First Amended Complaint should not stand.
5. Defendants have asked for a position on this motion but do not have a response. This motion is presumed opposed.

**WHEREFORE**, Defendant Santa Fe County respectfully requests this Court enter its Order Striking Plaintiff's Complaint.

Respectfully submitted

BRENNAN & SULLIVAN, P.A.

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*Attorneys for Santa Fe County  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 12<sup>th</sup> day of February, 2018, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

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